

**SB 5288 - DIGEST**

(SUBSTITUTED FOR - SEE 1ST SUB)

Requires that, when a law enforcement officer takes a juvenile into custody, the officer must immediately make reasonable attempts to notify a parent, guardian, or custodian that the juvenile is in custody, where the juvenile is being held, and of his or her right to consult with the juvenile.

Provides that no statement, admission, or confession, written or oral, of a juvenile under the age of seventeen given as the result of custodial interrogation by law enforcement officials is admissible unless: (1) A parent, guardian, or custodian was present during the statement;

(2) Prior to the statement the juvenile and his or her parent, guardian, or custodian were advised of the juvenile's rights, including the right to remain silent, that any statement may be used against him or her, the right to an attorney, and the right to have an attorney appointed if financially unable to afford one;

(3) There was meaningful consultation between the juvenile and the parent, guardian, or custodian; and

(4) The parent, guardian, or custodian does not have any interests adverse to the juvenile.

Provides that, if a juvenile expresses fear or distress at the prospect of law enforcement notifying the juvenile's parent, guardian, or custodian that the juvenile is in custody, which leads the officer to believe there is a possibility that the juvenile is experiencing some type of abuse or neglect, the juvenile shall be given a reasonable opportunity to have another interested adult present. If no other interested adult is available after reasonable efforts are made to contact the adult at the juvenile's request, the juvenile shall be provided with an attorney.